

If you wish to know how to buy what to buy, when to buy and where to buy holiday goods, read the East Oregonian advertisements.

WEATHER FORECAST.

Rain or snow tonight and Friday.

VOL. 19.

PENDLETON, OREGON, THURSDAY, DECEMBER 6, 1906.

NO. 5842

STREET SWEEPER ORDERED BOUGHT

Will Cost \$450 and Will Be Shipped at Once by Beall & Co. From Portland.

PROBABLE ACCEPTANCE OF COURT STREET PAVING.

Gutters Need Repairing, a Work Which Will Probably Be Postponed Until Spring—Results of Firemen's Election Ratified—Protest Registered About Alleged Dray Blockade on Alta Street—Balance on Hand in City Treasury November 30 Was \$11,604.28.

Within a few days Pendleton will have a street sweeper, for at the council meeting last night one was purchased from Beall & Co. of Portland for \$450. It is now at Portland and is to be shipped at once. Aside from the bid of Beall & Co. there was but one other bid last evening. It was from R. H. Wilcox, and the price was \$475, and 90 days' time was asked for shipment.

In behalf of the Warren company, Superintendent Shewry of the local paving crew, asked that the work on Court street be accepted. He explained that while there were some repairs to be made in the gutters, such could be done better in the spring than at present. He was requested to present the cost of the work on Court street, and it is probable the work will be accepted on condition that the repairs be made later.

The official returns from the recent firemen's election were given the council and upon motion J. L. Vaughan, Claud Penland and Lee Drake were declared elected chief, first assistant and second assistant respectively.

The liquor license of the Seattle Malt and Brewing company was allowed transferred from Court street (The Lobby), to the Ralmer Beer hall on Main street.

Councilman Thompson brought up the subject of the blockade on Alta street as a result of the drays standing abreast. After some discussion the mayor asked the street committee to handle the problem and to give such orders as are necessary, to the marshal or street commissioner.

Bills for the past month were paid and the reports of the recorder and treasurer received.

Financial Condition.
The following facts regarding the present financial condition of the city are shown by the report of Treasurer Hamilton, submitted last night:

Cash balance October 31, \$9098.81.
Received during the month: From licenses, \$1559.05; from taxes, 1905, \$1183.33; sale of levee bonds, \$16,451; other sources, \$1644; total receipts for month, \$14,837.38.

Paid out during month: On general fund warrants, \$5879.05; levee fund warrants, \$3452.86.

Balance on hand November 30, \$14,604.28. This amount is divided among the various funds as follows: General fund, \$1125.69; levee sinking fund, \$2436.69; general sinking fund, \$1616.18; levee fund, \$9425.72.

ADMINISTERED THE BOTTLE.

Italians Fail to Get Satisfaction From Medicine Man.

Two badly battered Italians sought succor of the police this afternoon following an interview with a "medicine man" in the west end of town. According to the tale given the marshal the two foreigners had purchased some medicine of their assailant. It was guaranteed to "cure everything or money refunded." Failing to get proper results from the medicine the Italians returned the same and demanded their cash. It was then that trouble ensued and from appearances the medical man had applied his stuff, bottle and all, to the heads of his dissatisfied patients. They were both badly cut and bleeding when they made the complaint to the officers.

The case will probably be tried out in the justice's court.

Prison for Scalp Swindler.

Ogden, Utah, Dec. 6.—Will Swan, formerly member of the Swan Land & Cattle company, which owned thousands of acres of land and 250,000 cattle in Wyoming, was today sent to prison for five years for scalp bounty frauds on the state of Utah. Swan imported pelts from South America and collected bounty on them in nearly every county in the state.

WATERWAYS AND

Lobby Will Ask for \$50,000,000 Their Improvement.

Washington, D. C., Dec. 6.—1600 delegates are in Washington today in attendance upon the National Rivers and Harbors congress. Cannon and Burton spoke today.

The convention seeks \$50,000,000 from the government to improve the nation's waterways. Randall reported that after a 29,000-mile tour he found the sentiment of the people in favor of general improvement of the waterways as a remedy "for wholly inadequate service furnished by the railroads."

The police found a love letter from Mrs. Vrzall to Billak, a hypnotist, who is under suspicion. Billak's wife gave them this letter and says they had quarrels on account of Billak's attention to Mrs. Vrzall.

OLD MAN TO PRISON.

Chicago, Dec. 6.—Hagbarth Gregerson, aged 67, formerly exchange teller of the defunct Milwaukee avenue State bank, pleaded guilty today to the theft of \$1800 and was sentenced to an indeterminate term. He said he took the money to "help a beauty doctor."

Helped Loot the Milwaukee Avenue State Bank.

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RUMORS OF A PARALLEL LINE

SHARED BY PENDLETON AND PILOT ROCK ALIKE.

Question is Whether There is Anything Behind the Revamping of the Report That the Northern Pacific Will Build a Pendleton-Pilot Rock Extension—Report Discredited by Pendleton People "Who Ought to Know."

Is the Northern Pacific preparing to build a line from this city to Pilot Rock for the purpose of competing with the O. R. & N. company? During the day a rumor became current here, and also at Pilot Rock, that some Northern Pacific surveyors are in the field between here and that town. They are said to be following the route up McKay creek which at one time was proposed as the most feasible one for a road to the south from Pendleton.

The rumor regarding the surveyors has caused a revival of the old belief that the Northern Pacific wishes to extend the W. & C. R. southward and that it looks with jealousy upon the work that is now being done for the Harriman people.

Report is Discredited.
But if there are some Northern Pacific surveyors in this vicinity they have been very secretive. According to Walter Adams, local W. & C. R. agent, he knows of no such a party. Colonel J. H. Riley, one of the incorporators of the old Pendleton Railroad and Coal company, which is said to have negotiated with the Northern Pacific people at one time, declares he knows nothing about the present plans of that company. C. E. Roosevelt, who has also been interested in the branch line proposition in the past, says he is wholly ignorant of the matter, while Leon Cohen, president of the Commercial association, declares that if James J. Hill has plans for a Pilot Rock road, he is not aware of the fact.

Three Brothers for Life.

Atlanta, Ga., Dec. 6.—The governor today commuted to life imprisonment the sentence of death given Milton and Jesse Hawkins, sons of the preacher hanged today. The sons were convicted of the same crime as the father—the murder of two Carter children. The third son, Leonard, is already serving a life term for the same crime.

Stole Trolley Car Fares.

East Liverpool, O., Dec. 6.—A stranger boarded a trolley car and ran it four miles, collected all fares and escaped. The motorman was fooled by perfect signals, the car being curtained on account of rain.

Pigeons Make Good Time.

Samuel Roome, Wells Fargo express agent, has heard from the carrier pigeons he liberated here a week ago Sunday, says the Eugene Guard. Of the 47 birds liberated, 40 of them reached Portland, the first one to arrive making the trip in two hours, eight and one-half minutes, which is almost a mile a minute.

WAR CLOUD IS DISSIPATING

Washington Officials Inclined to View Japanese Issue as a "Tempest in a Teapot."

JAPANESE COULD HAVE BEEN APPEASED EASIER.

California Congressmen Accused of Talking Largely for Home Consumption, Though Determined as to Exclusion of Japanese Coolies—McCall, of Massachusetts, Persists in Giving the Most Sinister Construction to the Message and Hopeless Interpretation for the Future.

Washington, Dec. 6.—Minister Aoki and Root conferred on the San Francisco schools and proposed a test case today. Aoki later was with Roosevelt.

War Cloud Dissipating.

Washington, Dec. 6.—After stirring up the country and giving the excitable ones food for expression, the war cloud of 1906 is already dissipated, leaving only the rumbling of a court case in California. Officials most concerned regard the whole thing as a tempest in a teapot. It is not considered justification for the talk it has caused, to say nothing of the serious talk by members of congress about the ghost of states' rights.

Those holding the views of the president on the Japanese question, think he could have appeased the Japanese by less advanced declarations.

The California congressmen who have talked almost continuously for three days are thought to be talking for home consumption, though at the same time are serious in their contention that Japanese coolies must be excluded in the same way as Chinese.

McCall's Sinister Construction.

Washington, Dec. 6.—Representative McCall, of Massachusetts, republican, says: "It would be the same for the president to put himself at the head of the army to administer all the other laws of the United States. When guns have battered down what the earthquake left of San Francisco, the disloyal province will be put to the sword to assert the right of Japanese to a public education. We will be taught a short cut to enforcement of the laws."

REFORM IN CHICAGO.

Breaking Up Connivance of Officials With Social Vice.

Chicago, Dec. 6.—The new municipal court has unexpectedly promised to be the greatest force yet discovered in the suppression of the evils of the under world.

The judge going to preside in the district frequented by the levee habitues. He today ordered 60 women to leave the city and issued subpoenas for clerks of former justices under the old system, charging straw bonds had been made. He said the conviction of officials conniving at the trade is certain.

RAILROAD STATION BURNED.

Heavy Property Loss and Nine Persons Injured.

Lynn, Dec. 6.—The Boston & Maine railroad station was destroyed by fire. Loss, \$450,000. The fire was controlled after nine were injured, none fatally. The police report that apparently none were killed.

After being a dry town for many years, Okesdale, Wash., a few days ago gave a two to one majority for continuance of that policy, all the new officials favoring a dry town.

TO REDUCE COST OF PUBLISHING LAWS

A movement has been started by school men in Oregon to reduce the size of the volume of school laws issued for the use of district officers.

At the present time a large book of several hundred pages, containing all laws pertaining to schools, educational boards, school book boards and every minute reference to educational matters, contained in the entire code of Oregon, is issued for the use of all school officers.

The result is needless confusion and misunderstanding. Country district officers do not have time to search through this immense volume for an explanation of their duties and the result is that the law is not rigidly observed, or else the office of county superintendent is flooded with useless inquiries concerning the commonest duties of school officers.

GRAFT CASES CALLED TODAY

Mayor Schmitz and Abe Ruef Listen to Charges Against Them in Open Court.

RUEF HAD TO BE ORDERED TO STAND BY THE COURT.

Schmitz Was Affected Disagreeably, Being Nervous and in a Daze—Ruef Had an Air of Disdainful Indifference—Proceedings Witnessed by a Large Turnout of Citizens—Both Arraignments Finally Adjourned Till Next Monday on Motion of the Defendants.

San Francisco, Dec. 6.—The cases against Mayor Schmitz and Abraham Ruef on charges of extorting several thousand dollars from the French restaurants, was called in Judge Dunne's court at 10:15 this morning.

Schmitz stood while the charges were read, but Ruef remained seated. Prosecutor Heney protested against this action on the part of Ruef, but the boss paid no attention to the protest. Schmitz appeared very nervous, but Ruef was unruffled. The court room was crowded, many having gathered early to gain admittance. When the reading of the charges was concluded counsel for Ruef speaking for Ruef and Schmitz, asked for a continuance until Monday, on the ground they had had no opportunity until today to read the indictments.

A lengthy argument followed on the question of continuance, the court finally permitting the cases to go over until Monday, at which time Schmitz and Ruef must plead.

The court, however, ordered the immediate arraignment of the defendants. Ruef remained in his seat, but the court compelled him to arise and remain standing while the indictments were read, saying, "The defendants in this case stand in no different position than would John Jones or William Smith." Ruef smiled throughout the reading, while Schmitz stood like a man in a dream.

New Series of Charges Made.

San Francisco, Dec. 6.—It is said that within a week Chief Dinan will again be called before the grand jury, this time to explain why 250 pool-rooms, operated by a syndicate, are permitted to conduct business without molestation. All the rooms, many for the exclusive use of women, are located within a radius of a dozen blocks in the unburned district.

PRIVATE CONSISTORY.

Public Meeting Abandoned on Threats of Assassinating the Pope.

Rome, Dec. 6.—The pope today called off the public consistory announced late last evening, it is reported on account of fear of assassination, which has been threatened lately. The pope insisted upon holding the consistory, but threats were so strong he finally gave up, being told that not only his own life, but that of thousands of devotees and zealots from all the world gathered to attend, were endangered.

In private a consistory was held which conferred the red hat on Cardinal Sammasca.

WOULD MAKE THE PACKERS PAY

Would Limit Ship Subsidy to South America and Orient.

Washington, Dec. 6.—Senator Beveridge introduced a bill today providing that the cost of meat inspection be paid by the packers.

Grosvonor agreed to revision of the ship subsidy measure to confine aid to South America and oriental lines only.

R. A. KELSAY SOLD OUT.

No Longer in Cunningham Sheep and Land Company.

R. A. Kelsay, one of the incorporators of the Cunningham Sheep & Land company, has sold his stock in that large concern to the other men interested and is now no longer connected with the business. The deal was made here several days ago when the annual stockholders' meeting was held. At that time Messrs. Burgess, Keeney and Dan J. Malarkey were present aside from Mr. Kelsay. The interest of Mr. Kelsay, a two-sevenths interest in the company, which is incorporated for \$70,000, was purchased jointly by the other three men in the company. It is said that one-half of Mr. Kelsay's stock was taken by Mr. Keeney, while Messrs. Burgess and Malarkey each took one-fourth. Mr. Kelsay has been a stockholder in the company since it was organized over a year ago. At that time the business of Charles Cunningham was purchased by the company at a figure in the neighborhood of \$250,000.

This afternoon Mr. Kelsay stated that he has no definite plans for the future excepting that he intends to rest during the winter in hopes of recovering from an injury he received to his ankle about a year ago. He may make a trip south and into old Mexico.

Dynamite Explosion.

Houghton, Mich., Dec. 6.—One is dead and two fatally injured as a result of a dynamite explosion at QuinCY yesterday, which for a time imprisoned 40 miners.

Storm on Atlantic Coast.

Norfolk, Dec. 6.—A terrific storm rages along the coast from Florida to Delaware. All shipping is scudding for shelter.

16 MEMBERS OF THE GLEE CLUB

AN ORGANIZATION WAS EFFECTED LAST NIGHT.

Ten Dollars Cash Was Donated on the Spot by Outsiders Deeply Interested in the Musical Phase of Life in Pendleton—Full Corps of Officers Chosen, and the Next Meeting Will Be Held Tomorrow Evening at Club Rooms.

With a charter membership of 16, the Commercial Association Glee Club was duly organized last night and there is now \$10 in the treasury, \$5 each having been donated the organization by T. C. Taylor and Robert Forster, who chanced to enter the room while the meeting was in progress.

There were a dozen or more in attendance when the meeting was called to order by Roy Raley. A committee on by-laws was appointed, and after such had been drawn up those present signed the same, thereby becoming members of the club. The election of officers was then held, and the following were chosen:

R. E. Tarbett, president; Lee Drake, vice president; Glenn Goodman secretary and treasurer; D. E. Bailey, manager. The selection of a director was postponed and a committee consisting of M. A. Rader, Willard Bond, C. B. Nissen, D. B. Bailey and W. D. Pasley was appointed to select such an official.

Another meeting of the club will be held Friday evening.

The following is the list of members at this time:

Bass—J. R. Raley, L. D. Drake, W. D. Pasley, C. B. Nissen, F. W. Bond, Cliff Turner, G. G. Goodman, Roy Alexander, Edgar W. Shockley, Ernest Ruppe.

Tenor—R. E. Kelly, George Baer, M. A. Rader, F. G. Mitchell, R. E. Tarbet, Harry Morrissey.

THOMPSON CRITICALLY ILL.

Surgical Patients Generally Recovering Finely.

Wallace Thomson, son of O. F. Thomson, is critically ill at St. Anthony's hospital with Bright's disease. Doubts for his recovery are held by Dr. W. G. Cole, the attending physician.

Within the past few days a number of surgical patients have been treated at the hospital and have now recovered sufficiently to return to their homes. Mrs. Claude Hanscom was recently operated on by Dr. Cole for trouble with the cervical gland of the neck. Mrs. Henry Hill was recently operated upon for appendicitis and has since returned to her home. Mrs. Walter Jennings, of Umatilla, also left recently after having been ill at the hospital with typhoid. A son of Matt Denning was recently operated on for appendicitis and has since recovered.

Chicago Wheat Market.

Chicago, Dec. 6.—Wheat opened at 73 5-8, closed at 74 3-4; corn opened at 42 1-4, closed at 42 3-4; oats opened at 33 3-4, and closed the same.

LOCAL OPTION PEOPLE UPHELD

Judge Smith's Decision is that the Freewater Election Was Legal and Operative.

DECISION MAY RESULT IN A WIDESPREAD REACTION.

Apparently, if the Freewater Election Was Valid, Many Other Elections Throughout the State on the Local Option Issue, Wherein the Result Was a Decided Victory One Way or the Other, Will Be Null and Void—Below is Given the Full Text of Judge Smith's Decision.

By a decision just given by Judge William Smith of Baker county, in the Freewater saloon case, the side of the local option people has been upheld throughout and no saloon will be allowed to operate there unless the decision be altered by the supreme court. The case was tried before Judge Smith upon change of venue because Circuit Judge Bean was serving as county judge when he ordered the Freewater local option election.

In the Freewater case the main point of the defense was that the judge had no authority to order the election, but that it should have been called by the entire board of commissioners. In most other counties of the state the commissioners called the elections and now the question is raised as to whether or not their actions were legal. Should Judge Smith be affirmed by the supreme court, there is a possibility that all other places in the state may become wet because the commissioners instead of the judge alone ordered the elections.

Full Text of the Decision.
The decision of Judge Smith has just been received by District Attorney Phelps, and it is as follows: In the Circuit Court of the State of Oregon, for Umatilla County.

State of Oregon, plaintiff, vs. James McElrath, defendant.

This cause having heretofore been submitted to the above entitled court, Judge William Smith of the circuit court of Baker county, presiding, and the said court having heard arguments of respective counsel thereon and having considered the said cause, and being at this time advised in the premises, finds that the said election mentioned in the stipulation filed herein and upon which this said cause is tried was in all things regular. That the act of the county judge of said county in announcing the proposed election was and is quasi judicial, and it is not in any sense or from any viewpoint "county business" requiring action by the county board at a regular session, and that the action by the county judge when in session for any purpose whereby notice is given of the holding of the proposed election under the act in question satisfies the statute, as does the act of the said judge in declaring unlawful the sale of liquors in the district wherein the election was held, and prohibiting such sale in such district thereafter, and the court further finds

That the license held by the defendant from the council of the town of Freewater when he committed the acts complained of is of no avail herein.

Wherefore the court adjudges the defendant guilty as charged in the information.

WILLIAM SMITH, Circuit Judge.
Dated this December 5, 1906.

Night Operator Slugged and Robbed.

De Soto, Kan., Dec. 6.—A robber this morning knocked Xona Heckert, night operator for the Santa Fe at this station unconscious, robbed the money drawer and escaped. A private soldier convict who escaped yesterday from Fort Leavenworth, is suspected.

Three hundred Japanese are said to have entered the United States from Mexico since November 1. All were contract laborers who deserted their work in Mexico because of conditions of virtual slavery, and ill treatment.

Criminal Carelessness.

St. Louis, Dec. 6.—The coroner's jury today charged Mrs. Laura Milton, owner of the building in which the Salvation Army fire occurred, with criminal carelessness and the responsibility for the deaths of 13 lodgers, by failing to place fire escapes according to law. Mrs. Milton claims her agents had failed to keep her informed of the condition of the property.